

CHAPTER NO. 926

SENATE BILL NO. 998

By Fowler, Person, Crowe

Substituted for: House Bill No. 754

By Brenda Turner, Ritchie, McMillan, Stamps, Beavers, Hargett

AN ACT To amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4, relative to driving while intoxicated.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:


SECTION 1. Tennessee Code Annotated, Section 55-10-403(a)(3), is amended by deleting such subdivision in its entirety and by substituting instead the following language:

(3) For purposes of this section, a person who is convicted of a violation of Tennessee Code Annotated, Section 55-10-401, shall not be considered a repeat or multiple offender and subject to the penalties prescribed in subsection (a) if ten (10) or more years have elapsed between such conviction and any immediately preceding conviction for a violation. If, however, a person has been convicted of a violation of § 55-10-401 within ten (10) years of the present violation, then such person shall be considered a multiple offender and is subject to the penalties imposed upon multiple offenders by the provisions of subsection (a). If a person is considered a multiple offender under this subpart, then every conviction for a violation of §55-10-401, within ten (10) years of the immediately preceding violation shall be considered in determining the number of prior offenses but in no event shall a conviction for a violation occurring more than twenty (20) years from the date of the instant conviction be considered for such purpose.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 29, 1998


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of May 1998


DON SUNDQUIST, GOVERNOR